

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2006-37-C – ORDER NO. 2007-424

SEPTEMBER 25, 2007

IN RE: Petition of the Office of Regulatory Staff for a)	ORDER ESTABLISHING
Rule-Making Proceeding to Examine the)	REQUIREMENTS AND
Requirements and Standards to be Used by the)	STANDARDS FOR
Commission When Evaluating Applications)	EVALUATION OF ETC
for Eligible Telecommunications Carrier)	APPLICATIONS
(ETC) Status and When Making Annual)	
Certification of ETC Compliance to the)	
Federal Communications Commission.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) for consideration of requirements and standards to be used by this Commission when evaluating applications for Eligible Telecommunications Carrier (ETC) status prior to issuance of Commission Regulations.

By Commission Order No. 2007-193, issued March 27, 2007, and as clarified in Order No. 2007-239, issued April 13, 2007, the Commission invited comments from “all interested persons” regarding whether this Commission should consider the Federal Communications Commission’s (FCC’s) May 25, 2005, recommended guidelines regarding designation of new ETCs when evaluating ETC applications during the interim period prior to issuance of this Commission’s own ETC regulations. The Commission set forth April 19, 2007, as the deadline for interested persons to file briefs with the Commission regarding this matter. Briefs were filed by various interested persons.

In reviewing these Briefs, we have concluded that the FCC's May 25, 2005, recommended guidelines regarding designation of new ETCs are helpful standards that should be considered when evaluating ETC applications during the interim period prior to issuance of our own ETC regulations. However, these are not the only appropriate standards to be examined in this scenario. We also believe that these guidelines should be considered in conjunction with this Commission's existing framework of analysis of ETC applications as reflected in prior Commission Orders, such as Order No. 2005-5, dated January 7, 2005, in Docket No. 2003-158-C. These Orders also described reasonable factors that should be examined while considering ETC applications.

In other words, we hold that we should be informed by the May 25, 2005, FCC guidelines, but not controlled by them. In addition, we must also examine guidelines established by prior Commission Orders. Further, we hold that the public interest should be paramount in our consideration of all ETC applications.

We believe that these standards are reasonable for the evaluation of ETC applications that come before this Commission prior to our establishment of formal Commission regulations.

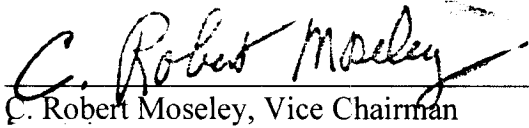
This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



C. Robert Moseley, Vice Chairman

(SEAL)